

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 26, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-28099 - GOLD SPIKE - PUBLIC HEARING -

APPLICANT: SIEGEL GROUP NEVADA, INC. - OWNER: GOLD SPIKE HOLDINGS, LLC, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (TMP-28099).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. The Final Map for this site shall be labeled as a "Merger and Resubdivision".
6. A Petition of Vacation, such as VAC-27239, for the alley right-of-way in conflict with this map, shall record prior to the Final Map for this site. The Final Map shall indicate the access easement, granted in favor of the owner of APN 139-34-510-045, required as a condition of approval for VAC-27239.
7. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the northwest corner of Las Vegas Boulevard and Ogden Avenue.
8. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Downtown Centennial Design Standards, unless waivers from these standards are approved, concurrent with development of this site.

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9. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
10. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this Commercial Subdivision.
11. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
12. Landscape and maintain all unimproved right-of-way, if any, on Fourth Street, Ogden Avenue and Las Vegas Boulevard adjacent to this site prior to the issuance of any permits. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Submit an Encroachment Agreement for all landscaping, if any, located in the Fourth Street, Ogden Avenue and Las Vegas Boulevard public right-of-way adjacent to this site prior to occupancy of this site.
14. All subdivided parcels comprising this commercial subdivision shall provide perpetual inter site common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.

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15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Final Map, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
16. Site development to comply with all applicable conditions of approval for TMP-28099 and all other site-related actions.
17. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Tentative Map for a one-lot commercial subdivision on 1.55 acres at 400 East Ogden Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to C-2 (General Commercial) on this property as part of a larger request.
12/05/07	The City Council approved a Site Development Plan Review (TMP-28099) for a single story Hotel and Hotel Lounge Bar with Waivers of Downtown Centennial Plan Streetscape and Build-To-Line Standards and a Special use Permit (SUP-24798) for a Hotel Lounge Bar on 0.64 acres at the northwest corner of Ogden Avenue and Las Vegas Boulevard. Planning Commission and Staff recommended approval.

<i>Related Relevant City Actions by P&D, Fire, Bldg. etc.</i>	
05/21/08	The City Council approved a petition to Vacate (VAC-27239) a portion of a 20-foot wide public alley between the city of Las Vegas parking structure on Stewart Avenue and Ogden Street, approximately 140 feet northwest of Las Vegas Boulevard.
<i>Related Building Permits/Business Licenses</i>	
01/01/51	A business license was issued for a Retail Tobacco Sales (#C05-00134), Hotel (#H05-01003), Tavern (#L16-00051) and Restaurant (#R09-00137) at 400 E. Ogden Avenue
04/08/04	A business license was issued for Convention Hall Tax (#C30-01006) and Grandfather Location (#G08-00061) at 400 E. Ogden Avenue
08/08/01	A Certificate of Occupancy (#01011803) was issued for a Hotel/Casino at 400 E. Ogden Avenue. It was reviewed under Plan Check (#L-4190-01).

<i>Pre-Application Meeting</i>	
04/17/08	A pre-application meeting was held with the applicant. The applicant informed staff that they were requesting a one-lot commercial subdivision for the four parcels and there would be no walls as part of this proposal. Staff then explained in detail the requirements for a Tentative Map application.

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Field Check	
6/05/08	A field check was made on site. The site is currently utilized as parking for the Gold Spike Casino.

Details of Application Request	
Site Area	
Gross Acres	1.55

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot, Casino, Apartments	C (Commercial)	C-2 (General Commercial)
North	Parking Garage	PF (Public Facilities)	C-2 (General Commercial)
South	Shopping Plaza	C (Commercial)	C-2 (General Commercial)
East	Hotel Casino	C (Commercial)	C-2 (General Commercial)
West	Hotel Casino under renovation	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan (Las Vegas)	X		Y
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District (200 Feet)	X		Y
Downtown Casino Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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FINDINGS

- **General information (Residential/Commercial)**

The subject property is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and has a C (Commercial) land use designation. The C (Commercial) designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial).

The overall site consists of four parcels located on the west side of Las Vegas Boulevard and the east side of 4th Street, north of Ogden Avenue. The parcels are comprised of a Hotel/Casino, which is in the process of renovation, a vacant Apartment building and parking lots. Characteristics of the tentative map conform to the approved Site Development Plan Review for this site (TMP-28099). Site access (ingress and egress) for this development is from multiple driveways from Las Vegas Boulevard and Fourth Street.

- **Cross Section**

The site provides little slope with a less than one percent average slope across the site. The applicant is proposing no new perimeter walls.

- **Trails**

No required trails are directly adjacent to this development.

- **Special Conditions of Approval (SDR-24794)**

1. All development shall be in conformance with the site plan and landscape plan date stamped 10/17/07, and building elevations date stamped 10/22/07 and 10/24/07, except as amended by conditions herein.
2. A Waiver from Downtown Centennial Streetscape Standards is hereby approved to allow a five-foot amenity zone and six-foot sidewalk along Las Vegas Boulevard where a five-foot amenity zone and 10-foot sidewalk are required.
3. A Waiver from Downtown Centennial Streetscape Standards is hereby approved to allow a five-foot sidewalk and no amenity zone along Ogden Avenue where a five-foot amenity zone and 10-foot sidewalk are required.

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4. A Waiver from Downtown Centennial Build-to-Line Standards is hereby approved to allow zero percent of the first story façade aligned along the front property line where 70 percent is required.
5. A Waiver from Downtown Centennial Build-to-Line Standards is hereby approved to allow fifteen percent of the first story façade aligned along the corner side property line where 70 percent is required.
6. The applicant shall install the standard parking lot screening per the Downtown Centennial Standards (Graphic 9) along the western portion of the area designated as valet parking.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

N/A

APPROVALS

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PROTESTS

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